

U.S. Department of Labor

Office of Administrative Law Judges
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In the Matter of

VINCENT GIAMBALVO
Complainant

Date Issued: June 14, 2001
Case Number: 2001-ERA-0010

v.

THE WACKENHUT CORPORATION
Respondent

**RECOMMENDED DECISION AND ORDER APPROVING SETTLEMENT
AGREEMENT AND DISMISSING COMPLAINT WITH PREJUDICE**

This is a proceeding arising under the Energy Reorganization Act, (ERA) 42 U.S.C. 5851, and its implementing regulations found at 20 C.F.R. Part 24. The parties have filed a signed Joint Motion to Approve Settlement Agreement and Dismiss Complaint With Prejudice.

The parties jointly request that this Settlement and its existence be treated as containing "confidential commercial information" such that it shall be treated as confidential in accordance with 20 C.F.R. § 70.26. It is determined that the settlement is fair, reasonable and in the public interest.

Accordingly, it is hereby **RECOMMENDED** that the Settlement Agreement between Complainant Vincent Giambalvo and Respondent The Wackenhut Corporation be **APPROVED** and that the matter be **DISMISSED WITH PREJUDICE**. It is **FURTHER RECOMMENDED** that the Settlement Agreement be designated as confidential commercial information to be handled in accordance with 29 C.F.R. Part 70.26.

Thomas M. Burke
Associate Chief Judge

TMB/lmr

NOTICE: This Recommended Decision and Order will automatically become the final order of the Secretary unless, pursuant to 29 C.F.R. §§ 24.8, a petition for review is timely filed with the Administrative Review Board, United States Department of Labor, Room S-4309, Frances Perkins Building, 200 Constitution Avenue, NW, Washington, DC 20210. Such a petition for review must be received by the Administrative Review Board within ten business days of the date of this Recommended Decision and Order, and shall be served on all parties and on the Chief Administrative Law Judge. See 29 C.F.R. §§§§ 24.7(d) and 24.8.